

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARMONDO L. JACKSON,

Plaintiff,

CASE NO. 13-11548

v.

TONINICOLE SHREEN JENNINGS,

HONORABLE GEORGE CARAM STEEH
MAGISTRATE JUDGE R. STEVEN WHALEN

Defendant.

_____ /

ORDER OF DISMISSAL

On April 5, 2013, plaintiff Armondo L. Jackson filed a pro se civil rights complaint under 42 U.S.C. § 1983. On April 16, 2013, the magistrate judge ordered plaintiff to submit either the filing fee of \$350.00 or an application to proceed without prepayment of fees and costs and a certified statement of his prison trust fund account. The magistrate judge warned plaintiff that, failure to comply with his order within thirty days of the date of his order could result in the dismissal of this case. To date, plaintiff has not responded to the magistrate judge's order.

The authority of a federal trial court to dismiss an action for failure to prosecute "cannot seriously be doubted. The power to invoke this sanction is necessary in order to prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars of the District Courts." Link v. Wabash R. Co., 370 U.S. 626, 629-30 (1962) (footnote omitted). Under the Federal Rules of Civil Procedure, district courts may dismiss a case not only for failure to prosecute, but also for failure to comply with an order of the court. Fed. R. Civ. P. 41(b); Schafer v. Defiance Police Dep't, 529 F.3d

731, 736 (6th Cir. 2008). This district's local rules also authorize the Court to dismiss a case on its own motion after reasonable notice is given if it appears that the parties have taken no action for a reasonable time, unless good cause is shown. See Local Rule 41.2 (E.D. Mich. Mar. 2, 1998).

More than thirty days have passed since the magistrate judge issued his deficiency order in this case. During that time, plaintiff took no action and failed to show an interest in this case. He did not pay the filing fee, file an application for leave to proceed in forma pauperis, or communicate with the Court. Accordingly, this action is **DISMISSED** without prejudice for want of prosecution and for failure to comply with the magistrate judge's order.

Dated: June 21, 2013

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 21, 2013, by electronic and/or ordinary mail and also on Armando Jackson #416152, Baraga Maximum Correctional Facility, 13924 Wadaga Road, Baraga, MI 49908.

s/Barbara Radke
Deputy Clerk